

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DESMOND HANKERSON,

Defendant.

Criminal No.: 03-798 (JLL)

ORDER


This matter comes before the Court by way of Defendant's motion for copies of the transcripts, plea agreement and indictment in the above criminal matter [CM/ECF Docket Entry No. 26] and it appearing that:

1. Defendant's request for such documents was premised on his desire to proceed with a claim of ineffective assistance of counsel based upon his attorney's alleged failure to file an appeal of the sentence imposed by this Court. *See* Def. Br. at 1.
2. By way of Order dated July 6, 2006, Defendant was granted permission to file a Notice of Appeal *nunc pro tunc*.
3. Said appeal was subsequently filed by the Defendant and this Court's sentencing was thereafter affirmed by the Court of Appeals for the Third Circuit on June 29, 2007.

Accordingly, **IT IS** on this 30th day of September, 2009,

ORDERED that Defendant's motion for copies of the transcripts, plea agreement and indictment in the above criminal matter [CM/ECF Docket Entry No. 26] is **denied as moot**.

IT IS SO ORDERED.



Jose L. Linares
United States District Judge